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**STATE OF DELAWARE
REAL ESTATE COMMISSION**

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PUBLIC MEETING MINUTES:	REAL ESTATE COMMISSION
MEETING DATE AND TIME:	Thursday, September 11, 2014 at 1:00 p.m.
PLACE:	Polytech Adult Education Conference Center 823 Walnut Shade Road, Woodside, DE 19980
MINUTES FOR APPROVAL	October 9, 2014

MEMBERS PRESENT

Andrew Staton, Professional Member, Chairman
Ricky H. Allamong, Professional Member, Vice Chairman
Justin Healy, Professional Member, Secretary
Christopher J. Whitfield, Professional Member
Michael Harrington, Sr., Professional Member
Lynn Rogers, Public Member
James C. Brannon, Jr., Public Member
Joseph F. McCann, Public Member

DIVISION STAFF/ DEPUTY ATTORNEY GENERAL

Eileen Kelly, Deputy Attorney General
Sandra Wagner, Administrative Specialist III

MEMBERS ABSENT

Gilbert Emory, Public Member

ALSO PRESENT

Donna Klimowicz, Real Estate Education Committee
Denise Tatman, DAR
Angela Emerson, SCAOR
William Ganc
Charles Howard
Ruth Briggs King
Jane Rurigi

CALL TO ORDER

Mr. Staton called the meeting to order at 1:03 p.m.

REVIEW OF MINUTES

Mr. Whitfield made a motion, seconded by Mr. Harrington, to approve the minutes of the meeting held on August 14, 2014. By unanimous vote, the motion carried.

NEW BUSINESS

Discussion and Review of Hearing Officer Recommendations

Charles Howard – Commission members reviewed the Rule to Show Cause Recommendation from the Hearing Officer with Mr. Staton describing the sanctions. After discussion, Mr. Whitfield made a motion, seconded by Mr. Harrington, to amend the Hearing Officer's recommendation to strike the letter of reprimand. By unanimous vote, the motion carried.

Jane Rurigi – Commission members reviewed the Rule to Show Cause Recommendation from the Hearing Officer with Mr. Allamong describing the sanctions. Ms. Rurigi was present at the Commission meeting. The Commission asked Ms. Rurigi if she would like to speak to the Commission about her recommendation. Ms. Rurigi explained to the Commission why she was unable to attend the hearing and to the circumstances of her continuing education. After discussion, Mr. Whitfield made a motion, seconded by Mr. Allamong, to amend the Hearing Officer's recommendation to a minimum 14 day suspension and that suspension will continue until Ms. Rurigi makes up the salesperson core course and the legislative update by completing modules 2 or 4 and 5. By unanimous vote, the motion carried.

Kenneth Chelland – Commission members reviewed the Rule to Show Cause Recommendation from the Hearing Officer with Mr. Whitfield describing the sanctions. After discussion, Mr. Whitfield made a motion, seconded by Mr. Harrington, to accept the Hearing Officer's recommendation with amendment that Mr. Chelland be flagged for audit in the 2014-2016 renewal period. By unanimous vote, the motion carried.

William McColley – Commission members reviewed the Rule to Show Cause Recommendation from the Hearing Officer with Mr. Harrington describing the sanctions. After discussion, Mr. Harrington made a motion, seconded by Mr. Whitfield, to accept the Hearing Officer's recommendation as written. Mr. McCann feels that Mr. McColley does not take the audit seriously and that by falsely attesting and not showing up for the hearing warrants a different sanction. Mr. Harrington and Mr. Whitfield withdrew their previous motion. Mr. McCann made a motion, seconded by Mr. Healy, that Mr. McColley be suspended for 30 days. By unanimous vote, the motion carried.

Mohammed Chowdhury – Commission members reviewed the Rule to Show Cause Recommendation from the Hearing Officer with Mr. Healy describing the sanctions. After discussion, Mr. Healy made a motion, seconded by Mr. Allamong, to accept the Hearing Officer's recommendation with an amendment that the suspension would not be lifted until Mr. Chowdhury shows that he completed 21 hours for 2012-2014 renewal period.. By unanimous vote, the motion carried.

Christopher Murphy – Commission members reviewed the Rule to Show Cause Recommendation from the Hearing Officer with Mr. McCann describing the sanctions. After discussion, Mr. McCann made a motion, seconded by Mr. Whitfield, to accept the Hearing Officer's recommendation with amendment to remove the letter of reprimand. By unanimous vote, the motion carried.

Susan Welsh – Commission members reviewed the Rule to Show Cause Recommendation from the Hearing Officer with Mr. Rogers describing the sanctions. After discussion, Mr. Rogers made a motion, seconded by Mr. Harrington, to accept the Hearing Officer's recommendation with amendment to strike the letter of reprimand. By unanimous vote, the motion carried.

Ryan Myers – Commission members reviewed the Rule to Show Cause Recommendation from the Hearing Officer with Mr. Brannon describing the sanctions. After discussion, Mr. Brannon made a motion, seconded by Mr. Whitfield, to accept the Hearing Officer's recommendation with amendment that Mr. Myers show proof of completion of the 2012-2014 renewal certificates before suspension can be lifted. By unanimous vote, the motion carried.

Nancy Sproesser – Commission members reviewed the Rule to Show Cause Recommendation from the Hearing Officer with Mr. McCann describing the sanctions. After discussion, Mr. McCann made a motion, seconded by Mr. Brannon, to accept the Hearing Officer's recommendation as written. By unanimous vote, the motion carried.

Susan Stamm – Commission members reviewed the Rule to Show Cause Recommendation from the Hearing Officer with Mr. Harrington describing the sanctions. After discussion, Mr. Harrington made a motion, seconded by Mr. Brannon, to accept the Hearing Officer's recommendation as written. Mr. Whitfield asked about number 3 of the recommendation and that it should be stricken. Mr. Harrington made a motion, seconded by Mr. Whitfield, to accept the amendment to strike number 3 of the recommendation. By unanimous vote, the motions carried.

Thomas Noden – Commission members reviewed the Rule to Show Cause Recommendation from the Hearing Officer with Mr. Allamong describing the sanctions. After discussion, Mr. Allamong made a motion, seconded by Mr. McCann, to accept the Hearing Officer's recommendation with amendment that Mr. Noden show proof of completion of the 2012-2014 renewal certificates before suspension can be lifted. By unanimous vote, the motion carried.

Education Committee Report

Ms. Klimowicz went through the Education Committee minutes with the Commission. They had 18 new courses approved, 5 instructor applications were approved one of which was reconsidered.

The Education Committee reconsidered Mr. Andrew Wetzel request to teach modules 2 and 6. The Committee recommended that Mr. Wetzel's instructor approval be modified to teach module 2, but not module 6. Mr. Wetzel has no Delaware experience.

Recommendation to Approve and Deny Course Providers, Instructor Applications and Student Requests as Noted

Mr. Whitfield made a motion, seconded by Mr. Rogers, to approve to the education approvals submitted by the Education Committee. By unanimous vote, the motion carried.

Applications for Licensure

Ratification of Salesperson Applications

Mr. Whitfield made a motion, seconded by Mr. Allamong, to ratify the following applications for salespersons:

Mary-Lynn Miller, Ocean Atlantic Sotheby's, Rehoboth Beach, DE
Patrick Beebe, Long & Foster, Rehoboth Beach, DE
Stephanie Bray, BHHS Fox & Roach, Hockessin, DE
Jesse Bryce, BHHS Fox & Roach, Newark, DE
Timothy Hilovsky, BHHS Fox & Roach, Hockessin, DE
Daniel Mills, Long & Foster, Lewes, DE
Levin Tucker, Long & Foster, Bear, DE
Walter Walls, BHHS Fox & Roach, Hockessin, DE
Daniel Wham, DSM Commercial, Newark, DE
Hao Jiang, Patterson Schwartz Real Estate, Greenville, DE
Karyn McIntosh, Keller Williams Preferred Realty, Bear, DE
Rachael Odle, BHHS Fox & Roach, Newark, DE
Stephanie Gale, BHHS Fox & Roach, Newark, DE
Julia Cole, ERA Cole Realty, Wilmington, DE
Li Huang, BHHS Fox & Roach, Newark, DE
Margaret Arnold, BHHS Fox & Roach, Newark, DE

Jerry Amin, BHHS Fox & Roach, Bear, DE
Brandon Jones, Coldwell Banker Preferred, Wilmington, DE
Michael Ryan, Exit Preferred Realty, Chesapeake City, MD
Grant Jeppe, Patterson Schwartz, Hockessin, DE
Lisa Magobet, BHHS Fox & Roach, Newark, DE
Angel Cabazza, RE/MAX Horizons, Inc., Dover, DE
Alexis Hashimoto, Patterson Schwartz, Greenville, DE
Deborah Goguen-Ellis, BHHS Gallo, Bethany Beach, DE

By unanimous vote, the motion carried.

Review of Salesperson Applications

The Commission reviewed the salesperson's application of Larry Johnson. Mr. Whitfield made a motion, seconded by Mr. Brannon, to approve Mr. Johnson's application. By unanimous vote, the motion carried.

The Commission reviewed the salesperson's application of Tony Fisher. Mr. Whitfield made a motion, seconded by Mr. Healy, to propose to deny Mr. Fisher's application. By unanimous vote, the motion carried.

The Commission reviewed the salesperson's application of Jeremiah McCarthy. Mr. Brannon made a motion, seconded by Mr. Rogers, to approve Mr. McCarthy's application. By unanimous vote, the motion carried.

Review of Broker and Associate Broker Applications

The Commission reviewed the associate broker's application of Thomas McMahon. Mr. Brannon made a motion, seconded by Mr. Healy, to approve Mr. McMahon's application. By unanimous vote, the motion carried.

The Commission reviewed the broker's application of Lawrence Tobler. Mr. Brannon made a motion, seconded by Mr. Healy, to approve Mr. Tobler's application. By unanimous vote, the motion carried.

Review of Applications for Reinstatement

The Commission reviewed the application of Amy Pietlock for reinstatement of a salesperson's license. Mr. Whitfield made a motion, seconded by Mr. Rogers, to approve Ms. Pietlock's reinstatement application upon successful passing of both exams. By unanimous vote, the motion carried.

The Commission reviewed the application of Terry Best for reinstatement of a salesperson's license. Mr. Whitfield made a motion, seconded by Mr. Rogers, to approve Mr. Best's reinstatement application. By unanimous vote, the motion carried.

The Commission reviewed the application of Sterling Eaton for reinstatement of a salesperson's license. Mr. Whitfield made a motion, seconded by Mr. Rogers, to approve Mr. Eaton's reinstatement application. By unanimous vote, the motion carried.

The Commission reviewed the application of Janet Crump for reinstatement of a salesperson's license. Mr. Whitfield made a motion, seconded by Mr. Rogers, to approve Ms. Crump's reinstatement application. By unanimous vote, the motion carried.

Review of Applications for New Office

The Commission reviewed the application of RE/MAX Above & Beyond for a relocation of office. Mr. Allamong made a motion, seconded by Mr. Rogers to approve the relocation of office application. By unanimous vote, the motion carried.

Mr. Whitfield made a motion, seconded by Mr. Harrington, to add Ganc Commercial Realty, LLC to the agenda for discussion. By unanimous vote, the motion carried.

Mr. Whitfield made a motion, seconded by Mr. Harrington, to approve Mr. Allamong to review the New Office application of Ganc Commercial Realty, LLC for approval and then the Commission will ratify the approval at their October 9, 2014 meeting. By unanimous vote, the motion carried.

Status of Complaints

Discussion: Continuing Education Requirements

This discussion has been tabled until the Commission's next meeting.

Correspondence

The Commission reviewed the request from Ryan Davis. Mr. Davis was asking for a waiver to sit for the exam for a 4th time without having to go through taking the pre-licensing course again. After discussion, Mr. Whitfield made a motion, seconded by Mr. Healy, to have Ms. Wagner send a letter to Mr. Davis explaining to him about the provision that Pearson Vue has with regards to special accommodations. By unanimous vote, the motion carried.

If Mr. Davis can show that he meets the requirements for special accommodations and submits that proof to the Commission, the Commission will review his documentation and make a determination of his request.

Discussion and Review of Consent order for Ronald White, Jr

The Commission reviewed the consent agreement for Ronald White, Jr. The Commission members discussed housing code violations and whether it is generally known that these violations are misdemeanors. Mr. Allamong made a motion, seconded by Mr. McCann, to accept the signed consent agreement for Mr. Ronald White, Jr. By majority vote, the motion carried, with Mr. Whitfield and Mr. Brannon dissenting.

OLD BUSINESS

Review and Signing of Hearing Officer Orders

Mr. Staton signed orders for:

Amy Diem
Andrew Townsend
Jack Murray
Janis Williams-Shepherd
Joan Fultz
Mary Rudinski
Michael Salove
Shereese Holland

Reconsideration of Hearing Officers Recommendation

The Commission reviewed and discussed the reconsideration of hearing officer's recommendation request from Mr. Andrew Townsend. After discussion, the Commission decided to leave the decision that was made at their August meeting. Mr. McCann made a motion, seconded by Mr. Rogers, to deny

the request for reconsideration of hearing officer's recommendation from Mr. Townsend. By unanimous vote, the motion carried. Final order was signed by the Commission's chair.

OTHER BUSINESS BEFORE THE COMMISSION (for discussion only)

There was no other business before the Commission.

PUBLIC COMMENT

Ms. Williams asked the Commission for clarification on whether using electronic devices should be up to the course provider or instructor. After discussion, the Commission agreed that it would be up to the course provider whether or not they will allow electronic devices to be used in the classrooms during education classes.

NEXT SCHEDULED MEETING

The next meeting will be held on Thursday, October 9, 2014 at 9:00 a.m.

ADJOURNMENT

Mr. Brannon made a motion, seconded by Mr. Rogers, to adjourn the meeting. By unanimous vote, the motion carried. The meeting adjourned at 2:29 p.m.

Respectfully submitted,

A handwritten signature in black ink that reads "Sandra Wagner". The signature is written in a cursive, flowing style.

Sandra Wagner
Administrative Specialist III

The notes of this meeting are not intended to be a verbatim record of the topics that were presented or discussed. They are for the use of the Board members and the public in supplementing their personal notes and recall for presentations.